

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 2.13
(ID # 22303)

MEETING DATE:
Tuesday, June 27, 2023

FROM : REGISTRAR OF VOTERS:

SUBJECT: REGISTRAR OF VOTERS: Request for Change in Election Date, Southern Coachella Valley Community Services District, District 4. [\$3,210]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Southern Coachella Valley Community Services District's request for election date change.

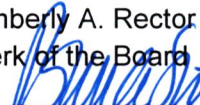
ACTION: Consent


Rebecca Spencer 6/27/2023

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Gutierrez
Nays: None
Absent: None
Date: June 27, 2023
xc: Registrar of Voters

Kimberly A. Rector
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 3,210	\$ 0	\$ 3,210	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Southern Coachella Valley Community Services District			Budget Adjustment: No	
			For Fiscal Year: 22/23	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Southern Coachella Valley Community Services District has submitted the attached resolution requesting the Board of Supervisors' approval to change the district's odd-year Governing Board election date to occur on the same date as the even-year General Elections. California Elections Code § 10404 allows special districts to consolidate their election with Elections held in November of even numbered years with the Board of Supervisors' approval. The code further stipulates that the Board shall approve such request unless the ballot style, voting equipment, or computer capability is such that additional elections or materials cannot be handled. The Registrar of Voters can accommodate this change of election date.

State law also requires that within 30 days after approval of the resolution, a notice is to be mailed to all registered voters of the district informing them of the change in election date and the terms of officeholders which will be changed. The cost of this mailing will be reimbursed by the district.

Impact on Residents and Businesses

The change in election date to occur on the same date as the even-year General Election would encourage greater voter participation at no additional cost. Registered voters will save a trip to a vote center by voting for both this district election and the even-year General Election.

ATTACHMENTS:

ATTACHMENT A. SOUTHERN COACHELLA VALLEY COMMUNITY SERVICES DISTRICT RESOLUTION NO. 2021-07

Juan C. Perez, Chief Operating Officer

6/22/2023

Southern Coachella Valley Community Services District
STAFF REPORT

Board Agenda Item: SCVCSD Resolution 2021-07:

A resolution from the Southern Coachella Valley Community Services District moving governing body elections from odd-numbered years to even-numbered years;

Background:

The Board of Directors of the Southern Coachella Valley Community Services District ("Board") has put forth Staff to prepare a resolution to move governing body elections from odd-numbered years to even-numbered years;

Requested Action:

Adopt resolution for publication;

Fiscal Impact:

None;

Alternatives:

Do not adopt resolution;

Recommendation:

SCVCSD Board of Directors Discretion;

Submitted by: Ben Crowson, General Manager

Meeting Date: November 18, 2021

RESOLUTION No. 2021-07

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SOUTHERN COACHELLA VALEY COMMUNITY SERVICES
DISTRICT TO MOVE GOVERNING BODY ELECTIONS
FROM ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS**

**BEFORE THE GOVERNING BODY OF THE
SOUTHERN COACHELLA VALLEY COMMUNITY SERVICES DISTRICT
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

A Resolution of the Governing Body of the Southern Coachella Valley Community Services District Approving the Rescheduling of Governing Body Member Elections from Odd-Numbered Years to Even-Numbered Years, in Accordance with Elections Code § 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the Approval of the County of Riverside to Consolidate the Same with the Statewide General Election Pursuant to Elections Code § 10404.

WHEREAS, on September 1, 2015, Governor Brown signed Senate Bill 415 (Reg. Sess.), codified at Stats. 2015, ch. 235, enacting Elections Code §§ 14050-14057, which prohibits the holding of an election other than on a statewide election date if holding an election on a nonconcurrent date resulted in a significant decrease in voter turnout, as defined, and further authorizes voters to enforce this prohibition by filing an action in superior court; and

WHEREAS, the Southern Coachella Valley Community Services District currently conducts its elections for members of the District in November of odd-numbered years (*e.g.*, November 2021) pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, voter participation in Riverside County is greater for statewide general elections than for odd-year local elections, including special district governing body member elections; and

WHEREAS, the District believes that rescheduling to even-numbered year elections may enhance voter participation and further increase the percentage of voters participating in the Special Districts elections; and

WHEREAS, it is considered the view of the District that starting with the [2022] Special Districts elections, the public interest will be better served by election of its governing body members in even-numbered year elections, held in conjunction with the statewide general elections; and

WHEREAS, the District further recognizes that there may also be a cost savings to the District resulting from aligning the District's elections with the statewide general elections; and

WHEREAS, as a result of these facts, the District desires to change the date of future governing body member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation; and

WHEREAS, Elections Code § 1303(b) establishes a procedure whereby the District may change the election date for its governing body members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county, *see* Elec. Code § 10404; and

WHEREAS, if the change in election date is approved by the Riverside County Board of Supervisors, it is requested that the new election date be moved from November of odd-numbered years to November of even-numbered years commencing in [2022] with governing body members whose terms would have expired in [2023] being extended to [2024] and governing body members whose terms would have expired in [2025] being extended to [2026], as required by Elections Code § 10404(i) (refer to Exhibit A),

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.
2. The undersigned, constituting at least a majority of the members of the Southern Coachella Valley Community Services District Governing Body, do hereby adopt this resolution to consolidate the election date for members of the District with the state general election in November of even-numbered years, beginning in [2022] pursuant to Elections Code § 1303(b).
3. The District shall forward the original copy of this resolution to the Riverside County Elections, who will compile the district resolutions, and will explain the rationale for the resolutions and request formal approval of the change by the Riverside County Board of Supervisors at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.
4. The District shall pay the expenses of mailing notice of approval of the change in election date by the Riverside County Board of Supervisors as required by Elections Code § 10404 subdivision (f).
5. If the consolidation of election is approved by the Board of Supervisors, the date of the District's next election will be moved to November [2024], and each subsequent governing body member election will be held two years thereafter in November of even-numbered years.
6. If the consolidation of election is approved, the terms of office of current governing body members expiring in November [2023] will be extended to November [2024] and the terms of members expiring in November [2025] will be extended to November [2026] (see Exhibit A).

7. In the event that the Riverside County Board of Supervisors declines to authorize consolidation in [2024] on the grounds specified in Elections Code § 10404(e), the Southern Coachella Valley Community Services District Governing Body requests that the Riverside County Board of Supervisors authorize such consolidation at the soonest feasible date.
8. The District and/or her designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

The foregoing RESOLUTION was adopted on November 18, 2021, at a regular meeting of the Governing Body of the Southern Coachella Valley Community Services District, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dated: 11/22/2021



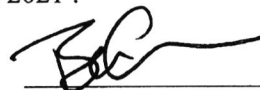
President

Southern Coachella Valley Community Services
District

CERTIFICATION

I, Ben Crowson, District Secretary of the Southern Coachella Valley Community Services District, do hereby certify that the foregoing Resolution was proposed by Governing Body Member Frank Figuerca, seconded by Governing Body Member Ann Wells, and was duly passed and adopted by a majority of the members of said Governing Body, at an official and public meeting thereof held on November 18, 2021.

Dated: November 18, 2021


_____, Clerk

Consolidation of Elections - California Elections Code Section 10404

10404. (a) This section applies only to special districts electing members of the governing body in odd-numbered years. As used in this section, "special district" means an agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries, except a city, county, city and county, school or community college district, or special assessment district.

(b) Notwithstanding any other law, a governing body of a special district may, by resolution, require that its elections of governing body members be held on the same day as the statewide general election.

(1) The resolution setting the election shall also include dates that are consistent with the primary or general election with respect to nominations, notices, canvass of votes, certification of election, and all other procedural requirements of this code pertaining to the primary or general election.

(2) The resolution shall be submitted to the board of supervisors no later than 240 days prior to the date of the currently scheduled district election.

(c) The board of supervisors shall notify all districts located in the county of the receipt of the resolution to consolidate and shall request input from each district on the effect of consolidation.

(d) The elections official shall prepare and transmit to the board of supervisors an impact analysis of the proposed consolidation.

(e) The board of supervisors, within 60 days from the date of submission, shall approve the resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled. Prior to the adoption of a resolution to either approve or deny a consolidation request, the board or boards of supervisors shall each obtain from the elections official a report on the cost-effectiveness of the proposed action.

(f) Within 30 days after the approval of the resolution, the elections official shall notify all registered voters of the districts affected by the consolidation of the approval of the resolution by the board of supervisors. The notice shall be delivered by mail and at the expense of the district.

(g) Public notices of the proceedings in which the resolution is to be considered for adoption shall be made pursuant to Section 25151 of the Government Code.

(h) If a special district is located in more than one county, the special district may not consolidate an election if any county in which the special district is located denies the request for consolidation.

(i) If, pursuant to subdivision (b), a special district election is held on the same day as the statewide general election, those governing body members whose terms of office would have, prior to the adoption of the resolution, expired prior to that election shall, instead, continue in their offices until their successors are elected and qualified, but in no event shall the term be extended beyond December 31 of the year following the year in which the request for consolidation is approved by the board of supervisors.

(j) If a board of supervisors approves the resolution pursuant to subdivision (e), the special district election shall be conducted on the date specified by the board of supervisors, in accordance with subdivision (a), unless the approval is later rescinded by the board of supervisors.

(k) If the date of a special district election is changed pursuant to this section, at least one election shall be held before the resolution, as approved by the board of supervisors, may be subsequently repealed or amended.

Current board members

The District (SoCoVal CSD) was established by a vote of the citizens on December 2, 1986.

Rebecca Broughton: Appointed January, 29 1987

1. Serving a four-year term 12/1/2017 through 12/3/2021
2. Term expires December 2021
3. Full Term commencing December 3, 2021 through December 5, 2025.

Ann Wells: Appointed 1999-2000 (I couldn't find an exact date, just that she replaced Cipriano DeLaCruz in that time period)

1. Oath of office on September 16, 1999, also her first meeting on record.
2. Serving a four-year term 12//2017 through 12/3/2021
3. Term expires December 2021
4. Full Term commencing December 3, 2021 through December 5, 2025.

Eugene Kitawaga: Appointed April 2006

1. Serving a four-year term 12/2019 through 12/3/2023
2. Term expires December 3, 2023

Frank Figueroa

1. Started serving a two-year term 12/6/2015 through 12/6/2017, Sworn in January 2016
2. Serving a four year term 12/1/2017 through 12/3/2021
3. Term expires December 3, 2021
4. Full Term commencing December 3, 2021 through December 5, 2025.

Maria Machuca: Appointed March 10, 2020 by Supervisor's Perez office.

1. She is serving a short term, she will file for short term in 2021 to fill full term.
2. Short Term commencing December 3, 2021 through December 1, 2023.



Riverside County Board of Supervisors Request to Speak

Submit request to Clerk of Board (right of podium), Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: BRAD ANDERSON

Address: 37043 FERRY DR.

City: Rancho Mirage Zip: 92270

Phone #: N/A

Date: 6/27/2023 Agenda # 2.13

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

 Support Oppose Neutral

Note: If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:

 Support Oppose Neutral

I give my 3 minutes to: N/A

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda/Public Comment:

Notwithstanding any other provisions of these rules, a member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES. Donated time is not permitted during Public Comment.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please ensure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin to flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman, may result in removal from the Board Chambers by Sheriff Deputies.

June 27, 2023

Riverside County Board of Supervisors

County Administrative Center

4080 Lemon St. - 1st. Floor Board Chambers

Riverside, CA. 92501

Attn: Clerk of the Board/Board of Supervisors/General Public

Re: Public Comment for the regular June 27, 2023 Board of Supervisors meeting (Item: 2.13)

Dear Riverside County Board of Supervisors,

Please review and submit into the official Public Record the listed written statements listed below for each Agenda Items detailed.

- 1) Agenda Item: 2.13 (SCVCSD late submission of a request for election date change)
Oposed

Please consider resolving if the Southern Coachella Valley Community Service District (SCVCSD) had the proper authority to operate and produce Resolution: 2021-07.

The SCVCSD Board of Directors has been compromised by operating with out the required SCVCSD resolution being passed and recorded to be in compliance of AB361 for the past number of years. SCVCSD Board of Directors had been reminded of that requirement on many occasions by this citizen.

The SCVCSD submitted Resolution: 2021-07 was dated November 18, 2021 and lacked the Board of directors casted votes for the passage of Resolution: 2021-07. The clerks signature was unrecognizable and the listed requirements were not Implemented. Again, it's very important to truly understand – that Board didn't have the proper authority to have that November 18, 2021 remotely performed meeting.

Please consider that the current SCVCSD Board of Directors are ALL appointed members from Riverside County. The listed appointees of the SCVCSD organization shows entrenched political elements dated back to the year of 1987 that still remains on that board. And other statements openly shows that it's documents have NO EXACT dates of another appointment of a board members. And most concerning is the deception of misleading the Board of Supervisors and the Citizen's of the State of California by listing SCVCSD Board of Directors that No longer serve (Frank Figueroa) on that California Special District board.

Please consider postponing this requested item (2.13) until the SCVCSD can show if they are operating within the laws of the Great State of California.

Brad Anderson | 37043 Ferber Dr. Rancho Mirage, CA. 92270 | ba4612442@gmail.com

6-27-2023

2.13